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**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA,  
SOUTHERN DIVISION**

LISA LIBERI, et al,

Plaintiffs,

vs.

ORLY TAITZ, et al,

Defendants.

CIVIL ACTION NUMBER:

**8:11-cv-00485-AG (AJW)**

**PLAINTIFFS OPPOSITION TO  
DEFENDANTS LAW OFFICES OF  
ORLY TAITZ MOTION TO  
DISMISS AND AMENDED  
MOTION TO DISMISS, DOCKET  
NO.'S 376 and 377**

Date of Hearing: October 17, 2011  
Time of Hearing: 10:00 a.m.  
Location: Courtroom 10D

Plaintiffs, by and through their undersigned counsel, Philip J. Berg, Esquire  
file the within Response in Opposition; Memorandum of Points and Authorities;  
and Declarations in Opposition to Defendant, Law Offices of Orly Taitz  
[“L.O.O.T.” or “Defendant”] Motion to Dismiss [“MTD”] Plaintiffs First  
Amended Complaint [“FAC”], Docket No. [“DN”] 376 and Amended Motion to

1 Dismiss [“Amended MTD”] Plaintiffs FAC, DN 377. In support hereof, Plaintiffs  
2 aver the following:

3  
4 1. Law Offices of Orly Taitz’s [L.O.O.T.] Motion and Amended Motion  
5 to Dismiss are **not** compliant with the Federal Rules of Civil Procedure and/or this  
6 Court’s Local Rules.

7  
8 2. Plaintiffs are **not** willing to dismiss the Law Offices of Orly Taitz  
9 without strict proof that it is **not** a legal entity.

10  
11 3. After Suit was originally filed, Defendant Orly Taitz filed a Motion to  
12 Dismiss stating that the Law Offices of Orly Taitz was **not** an a/k/a, that it was a  
13 law firm, which she claimed had nothing to do with this dispute. *See* Orly Taitz’s  
14 filing of May 28, 2009, appearing as DN 35 at page 3, ¶7.

15  
16 4. The Law Offices of Orly Taitz was sued recently by Charles Edward  
17 Lincoln, III, U.S.D.C., Central District of California, Southern Division, Case No.  
18 8:10-cv-01573-AG (PLAx). In this case, which was dismissed without prejudice  
19 by the Plaintiff in March 2011, the attorney’s representing L.O.O.T. never claimed  
20 it was **not** a legal entity. Instead, the Attorneys, who were hired by Zurich  
21 Insurance, L.O.O.T.’s insurance company, filed a Certification of Interested Parties  
22 naming the Law Offices of Orly Taitz and its Insurance Company, Zurich  
23 Insurance. *See* DN 10 in Case No. 8:10-cv-01573-AG (PLAx) filed December 15,  
24 2010.  
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1           5.     Plaintiffs have pled valid and sufficient claims against L.O.O.T, in  
2     their FAC as Cause of Action numbers “1” through “11”, for which relief can be  
3     granted. Therefore, Defendant L.O.O.T.’s Motion must be denied.  
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5           6.     L.O.O.T.’s MTD and Amended M.T.D. were filed for improper  
6     purposes, to further libel, slander, defame, harass, cyber-stalk and damage the  
7     Plaintiffs as demonstrated by Defendant Orly Taitz by and through L.O.O.T.’s  
8     website postings of L.O.O.T.’s MTD, DN 376, and postings on their Facebook  
9     pages, social networks, *Before it’s News* websites, and other publications on the  
10    Internet. *See* the declarations of Lisa Liberi and Lisa Ostella.  
12

13           7.     Defendant Orly Taitz who filed the MTD and Amended MTD on  
14    behalf of L.O.O.T. did **not** support her Motions with any type of evidentiary  
15    support, Affidavit, Declaration or any type of proof whatsoever which  
16    substantiates her assertion that L.O.O.T. is **not** a legal entity.  
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19           8.     Plaintiffs would have been willing to dismiss L.O.O.T. without  
20    prejudice with the right to re-name L.O.O.T. upon a finding it was in fact a legal  
21    entity. However, since further discovery has surfaced in Case No. 8:10-cv-01573-  
22    AG (PLAx) where L.O.O.T. was named and shown to be insured by Zurich, and  
23    with Orly Taitz’s previous Motion to Dismiss filed in this Case May 28, 2009,  
24    Plaintiffs believe Defendant Orly Taitz has attempted to defraud them and this  
25    Court by now claiming L.O.O.T. is **not** a legal entity.  
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1           9.     Taitz by and through L.O.O.T. has admitted to and substantiated  
2     Plaintiffs lawsuit against them as to the illegal obtaining of Plaintiffs private data;  
3     distribution of Plaintiffs private data; slander, libel and defamation of Plaintiffs;  
4     that they obtained the information directly from the Sankey Defendants, Reed  
5     Defendants and Defendant Intelius; cyber-stalking; harassment; and the other  
6     causes pled in Plaintiffs FAC. As a result thereof, there are not any triable issues  
7     or any facts in dispute. Therefore, Judgment by way of a Summary Judgment  
8     Motion, which Plaintiffs will be seeking Leave to file, would be properly entered  
9     against them.

10           10.    Plaintiffs Opposition is based upon their Opposition, the attached  
11    Memorandum of Points and Authorities in Support hereof; Declaration of Philip J.  
12    Berg, Esquire; Plaintiffs Objections and Declarations of Shirley Waddell, Philip J.  
13    Berg, Esquire, Lisa Liberi and Lisa Ostella filed concurrently herewith, upon  
14    records on file with this Court and such further oral and/or documentary evidence  
15    that may be presented at the time of the Hearing.

16           **WHEREFORE**, for the reasons stated herein, Plaintiffs respectfully request  
17    this Court to deny Defendant Law Offices of Orly Taitz Motion to Dismiss and  
18    Amended Motion to Dismiss. Plaintiffs are also Requesting this Court to Grant  
19    them Attorney Fees and Costs for Orly Taitz's frivolous filings for the improper  
20

1 purpose to further harass and harm the Plaintiffs. In the alternative, Plaintiffs  
2 Request Leave to Amend their Complaint.  
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4 Respectfully submitted,  
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6 Dated: September 21, 2011  
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/s/ Philip J. Berg

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